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FCC  
455 12th St.  
TW-A235  
Washington, DC 20554

Title: FCC Request for Comments Docket 02-135

I am submitting my comments as requested. Mutual Data Services, Inc. can easily be considered a "micro-ISP". Our service area is completely rural and we expect that the number of clients that we service will be smaller than other ISP's that may be in existence. This year, we were approved for a Rural Utilities Services Broadband Loan. This program is administered through the US Department of Agriculture. This funding will allow us to expand our current market to 10 small towns/villages in our county. Our needs are different than other ISP's that may service larger cities or higher density population areas but still use the same equipment they currently use.

Spectrum- Wireless ISP's need a band of spectrum that is set aside for outdoor network operations by itself. This "Broadband ISP Band" of spectrum should be available to all who meet the criteria of operating in this band. The band should not have any indoor rated equipment allowed to operate in the same frequency band and the band should have either high enough power ratings to overcome line of sight issues or operate at a frequency that is low enough to penetrate trees and other objects. Systems approved in this band should be able to coexist with competitors and be able to reject interference without relying on high power amps or other illegal setups.

Competition- Broadband spectrum should remain available to any company that wishes to use it in an area. Use of the frequency should follow set rules and limitations that allow for others to coexist. Auctioning spectrum and limiting the number of license holders will create situations similar to MMDS where one or two large companies will control all markets BUT may not deploy anything in those frequencies.

Enforcement-Systems deployed in this Broadband ISP band should be installed by companies that are certified to perform installs, and operate within the correct parameters as established by the FCC. Operators that exceed these standards should be investigated and then handled in similar fashion to other licensed frequencies.

Certifications- Broadband ISP's using this new frequency band should be tested, certified to perform installations and must follow proper installation safety techniques to deploy the RF equipment. Also, systems should be component certified not system certified. Professional installers should know if a design will be compliant or not based on the operating specifications.

Rural vs. non-rural markets- Rural markets should be able to use higher power systems to allow for longer point to point connections or to work around obstructions. Once competition has been identified, it should be the responsibility of the competing parties to work together to reduce interference within the market.

Conclusions- I believe that by establishing a band of spectrum dedicated to Broadband ISP operations, that any certified ISP can use, will create a huge growth opportunity for rural America to obtain high speed broadband. This ISP band should have a set of certifications required for an operator to use it and make it easier for Industry compliance issues due to the need for certification. This band needs to be able to penetrate line of sight issues as well as have the ability to work with other competitors in an area. Limiting the number of users for a band of spectrum through licenses, or auctions will stifle the market.

Sincerely,  
Barry C. Buchholz Jr.  
President